

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

Richard Smith, Teresa Smith, and Richard)
and Teresa Smith on behalf of their minor)
son, Paul Smith,)

Plaintiff,)

vs.)

Kevin Frank,)

Defendant.)

**ORDER AMENDING SCHEDULING/
DISCOVERY PLAN**

Case No. 1:05-cv-102

On August 24, 2006, the parties filed a Stipulation for Amendment of Scheduling/Discovery Plan adopted by the court on December 19, 2005, and amended on April 11, 2006. The court adopts the parties' stipulation (Docket No. 17) and **ORDERS** that the Scheduling/Discovery Plan be further amended as follows:

3. The parties shall have until November 1, 2006, to complete fact discovery and to file discovery motions.
4. Plaintiff shall have until October 1, 2006, and defendant shall have until October 16, 2006, to identify the subject matter/discipline of expert witnesses to be used at trial.
5. The parties shall have until November 1, 2006, to provide the names of expert witnesses and complete expert reports under Rule 26(a)(2). The parties shall have until January 15, 2007, to complete discovery depositions of expert witnesses.

Dated this 25th day of August, 2006.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr.
United States Magistrate Judge